

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Annalisa Anderson et al.

Serial No. 10/589,381

Filed: August 15, 2006

For: POLYPEPTIDES FOR INDUCING A PROTECTIVE
IMMUNE RESPONSE AGAINST STAPHYLOCOCCUS
AUREUS

Art Unit: 1645

Examiner: Devi, Sarvamangala

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

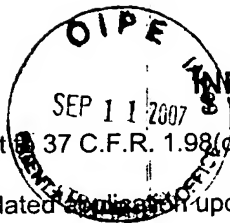
Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By [Signature] Date 9-7-07



INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certificate after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: Sheldon O. Heber

Attorney _____ For Applicant(s)

Reg. No. 38,179

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-1958

Date: 9-7-07

COMPLETE IF KNOWN

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

SEP 11 2007

Sheet

1

pf

Application Number

10/589,381

Filing Date

August 15, 2006

First Named Inventor

Annaliesa Anderson

Group Art Unit

1645

Examiner Name

Devi, Sarvamangala

Attorney Docket Number

21490YP

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	A	WO	01/98499		University of Sheffield; Biosynexus Inc.	12/27/2001
	B	WO	02/059148		Cistem Biotechnologies GMBH	08/01/2002
	C	WO	02/094868		Chiron SPA	11/28/2002
	D	WO	02/102829		Inhibitex, Inc., et al.	12/27/2002
	E	WO	03/011899		University of Sheffield; Biosynexus Inc.	02/13/2003
	F	EP	0 786 519		Human Genome Sciences, Inc.	07/30/1997

**Examiner
Signature**

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 06/28/2007

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	10/589,381
Filing Date	August 15, 2006
First Named Inventor	Annaliesa Anderson
Group Art Unit	1645
Examiner Name	Devi, Sarvamangala
Attorney Docket Number	21490YP

Sheet

2

of

3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	G	GenBank AB042826, June 27, 2000
	H	Baba, T. et al. "Genome and virulence determinants of high virulence community-acquired MRSA", The Lancet, 2002, Vol. 359, pp. 1819-1827
	I	Etz, H. et al. "Identification of <i>in vivo</i> expressed vaccine candidate antigens from <i>Staphylococcus Aureus</i> ", PNAS, 2002, Vol. 99, No. 10, pp. 6573-6578
	J	Huang, S. et al. "Specificity of Cotranslational Amino-Terminal Processing of Proteins in Yeast", Biochemistry, 1987, Vol. 26, pp. 8242-8246
	K	Josefsson, E. et al. "Protection against Experimental <i>Staphylococcus aureus</i> Arthritis by Vaccination with Clumping Factor A, a Novel Virulence Determinant", The Journal of Infectious Diseases, 2001, Vol. 184, pp. 1572-1580
	L	Klein, J. et al. "Analysis of Aluminum Hydroxyphosphate Vaccine Adjuvants by ²⁷ Al MAS NMR", Journal of Pharmaceutical Sciences, 2000, Vol. 89, pp. 311-321
	M	Kukuruzinska, M. et al. "Protein Glycosylation in Yeast", Ann. Rev. Biochem, 1987, Vol. 56, pp. 915-944
	N	Kuroda, M. et al. "Whole genome sequencing of meticillin-resistant <i>Staphylococcus aureus</i> ", The Lancet, 2001, Vol. 357, pp. 1225-1240
	O	Mamo, W. et al. "Vaccination with <i>Staphylococcus aureus</i> fibrinogen binding proteins [FgBPs] reduces colonisation of <i>S. aureus</i> in a mouse mastitis model", FEMS Immunology and Medical Microbiology, 1994, Vol. 10, pp. 47-54
	P	Mazmanian, S. et al. "Passage of Heme-Iron Across the Envelope of <i>Staphylococcus aureus</i> ", Science, 2003, Vol. 299, pp. 906-909
	Q	Mazmanian, S. et al. "An iron-regulated sortase anchors a class of surface protein during <i>Staphylococcus aureus</i> pathogenesis", PNAS, 2002, Vol. 99, No. 4, pp. 2293-2298
	R	Mazmanian et al. "Sortase-catalysed anchoring of surface proteins to the cell wall of <i>Staphylococcus aureus</i> ", Molecular Microbiology, 2001, Vol. 40, pp. 1049-1057
	S	Nilsson, I. et al. "Vaccination with a Recombinant Fragment of Collagen Adhesin Provides Protection against <i>Staphylococcus Aureus</i> - mediated Septic Death", J. Clin. Invest., 1998, Vol. 101, No. 12, pp. 2640-2649
	T	Shinefield, H. et al. "Use of a <i>Staphylococcus Aureus</i> Conjugate Vaccine in Patients Receiving Hemodialysis", New England Journal of Medicine, 2002, Vol. 346, No. 7, pp. 491-496
	U	Taylor, J. et al. "Transferring binding in <i>Staphylococcus aureus</i> : involvement of a cell wall-anchored protein", Molecular Microbiology, 2002, Vol. 43(6), pp. 1603-1614

Examiner
SignatureDate
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 06/28/2007

INFORMATION DISCLOSURE**STATEMENT BY APPLICANT***(use as many sheets as necessary)***Best Available Copy****COMPLETE IF KNOWN**

Application Number	10/589,381
Filing Date	August 15, 2006
First Named Inventor	Annaliesa Anderson
Group Art Unit	1645
Examiner Name	Devi, Sarvamangala
Attorney Docket Number	21490YP

Sheet

3

of

3

NON PATENT LITERATURE DOCUMENTSExaminer
Initials*Cite
No.

Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

V

Vogel, F. "Improving Vaccine Performance with Adjuvants", Clinical Infectious Diseases, 2000, Vol. 30 (Suppl. 3), pp. S266-270

Examiner
SignatureDate
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 06/28/2007